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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/752,844	12/28/2000	Malcolm M. Smith	062891.0440	1025

7590 08/03/2004

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EXAMINER

PIZARRO, RICARDO M

ART UNIT	PAPER NUMBER
2661	3

DATE MAILED: 08/03/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/752,844

Applicant(s)

SMITH, MALCOLM M.

Examiner

Ricardo M. Pizarro

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 December 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-28 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-5, 11, 12, 14, 19, 20, 22 and 27 is/are rejected.
- 7) ☒ Claim(s) 6-10, 13, 15-18, 21- 23-26, 28 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 28 December 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

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DETAILED ACTION

Claim Objections

1. Claims 3, 10, 18 -19-26 are objected to because of the following informalities and it is suggested to applicant:

In claim 3 line 2 insert "plurality of" before -remote-.

In claim 10 line 2 replace "the" with -a-.

In claim 18 line 2 replace "the" with -a-.

In claim 19 line 4 replace the second occurrence of "a" with -the-.

In claim 26 line 2 replace "the " with -a-

Appropriate correction is required.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-5 , 11-12, 14, 19-20, 22 , 27 are rejected under 35 U.S.C. 103(a) as being unpatentable over El-Batal in view of publication Zilog 8530 Serial Communications Controller.

US patent No. 6,625,144 (El-Batal et al) discloses a DB-9 connector for RS-232 communications, comprising: a communications apparatus (Device in Fig. 2 and 8) including a serial data interface (i.e. RS-232) having a data carrier detect DCD line (DCD line 1 in Fig. 8) and a request to send RTS line (RTS line 7 in Fig. 8) each coupled to a modem (through wire line), that couples to a plurality of devices (i.e. host 104, controllers 104, 106 n.. in Fig. 1), communicating information to a selected one of the plurality of devices (communicating

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information to host -i.e. master device- 102 in fig. 1) as in claim 1; wherein the serial data interface is an RS-232 interface (col 2 line 16) , as in claim 2; wherein the selected remote device comprises a master station (HOST 102) managing a plurality of components of a supervisory control and data acquisition system (managing SCA devices 104, 106 , n ... in Fig. 1) using the twisted pair line, as in claim 4; further comprising a component interface operable to receive data from a component for communication to the selected remote device(interface in Fig. 8), as in claim 5.

A method for communicating information over a twisted pair line comprising a serial data interface (RS-232, col 2 line 16) , wherein the serial data interface couples to a modem coupled to a twisted pair line , comprising a plurality of devices (host 102, controllers 104, 106, n ...in Fig . 1) and communicating information to a selected one of the devices (communicating information to host -i.e. master device- 102 in Fig. 1) as in claim 11; wherein the serial data interface comprises an RS-232 interface (col 2 line 16), as in claim 12 ; wherein the selected remote device comprises a master station managing a plurality of components of a supervisory control and data acquisition (SCADA) system using the twisted pair line (managing SCA devices 104, 106 , n ... in Fig. 1), as in claim 14 .

Logic for communicating information over a twisted pair line comprising a serial data interface, wherein the serial data interface couples to a modem coupled to a twisted pair line, comprising a plurality of devices (host 102 , controllers 104, 106, n... in Fig. 1) and communicating information to a selected one of the devices (communicating information to host -i.e. master device- 102 in Fig. 1) as in claim 19; wherein the serial data interface comprises an RS-232 interface (col 2 line 16), as in claim 20;

A communications apparatus comprising DCD means (DCD line 1 in Fig. 8) for a serial data interface (RS-232 interface, col 2 line 16), wherein the serial data interface couples to a modem coupled to a twisted wire line; a plurality of remote devices (host 102, controllers 104, 106, n.. in Fig. 1) coupled to the twisted pair line and communicating information to a selected one of the remote devices (communicating information to host -i.e. master device-102 in Fig. 1), as in claim 27.

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El-Batal did not specifically disclose said RS-232 system including a processor operable to detect a de-assertion of the DCD line, to assert the RTS line after a period of time from detecting the de-assertion of the DCD line, to communicate information to a selected one of the remote devices while the RTS line is asserted, and to de-assert the RTS line after communicating the information, as in claims 1, 11, 19 and 27; wherein asserting the RTS line request the modem to generate a carrier signal that causes assertion of DCD lines for the remote devices coupled to the twisted pair line, as in claim 3.

Zs-Zilog 8530 Serial Communications Controller, WWW.vorlesungen.uni.osnabrueck.de, 4/17/97 discloses a processor operable to detect a de-assertion of the DCD line, to assert the RTS line after a period of time from detecting the de-assertion of the DCD line, to communicate information to a selected one of the remote devices while the RTS line is asserted, and to de-assert the RTS line after communicating the information. (,DCD driver asserts DTR and then blocks waiting -i.e. delay- for the modem to assert DCD -i.e. DCD deasserted- page 1 last paragraph-, DCD must only be asserted when the local modem detects a remote carrier. DCD must not be continuously asserted or only be deasserted by a short period of time, many modem have this behavior as default and must only answer when DTR -RTS- is asserted-, page 3 first paragraph) , as in claims 1 ,3, 11, 19, 27.

Therefore, it would have been obvious to a person of ordinary skill in the art at the time of the invention to provide the processing means as disclosed by the publication ZS-Zilog 8530 Communications Controller to the RS-232 system disclosed by El-Batal with the motivation of obtaining a method to provide synchronization access to a communications link between multiple controller devices in a disk controller environment that supports RS-232 communications protocol .

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Allowable Subject Matter

2. Claims 6-10, 13, 15-18, 21- 23-26, 28 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claim. Please also notice objection to some of the claims under 37 CFR 1.75

Conclusion

3. **Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks

Washington, D.C. 20231

or faxed to:

(703) 872-9314

(for formal communications intended for entry, for informal or draft communications, please label "PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to
Crystal Park II, 2121 Crystal Drive, Arlington. VA., Sixth Floor (Receptionist).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Ricardo Pizarro** whose telephone number is (703) 305-1121. The examiner can normally be reached on Monday-Friday from 9:00 AM to 5:30 PM. The fax number for this Group is (703) 872-9314.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Douglas Olms**, can be reached on (703) 305-4703.

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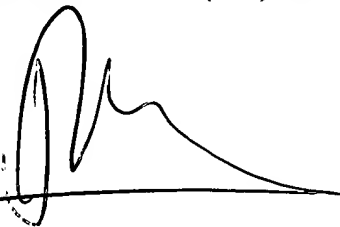
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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-4700.

7/22/2004

Ricardo M. Pizarro

A handwritten signature in black ink, consisting of a large, stylized capital 'R' followed by a series of loops and a long horizontal stroke extending to the right.